

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COUNTRY MUTUAL INSURANCE
COMPANY, a foreign company,

Plaintiff,

v.

ATLASRHINO, INC. DBA
ZENAPTIC CHIROPRACTIC, a
Washington corporation, and TROY
DREILING, an individual and the
president of Atlasrhino, Inc.,

Defendants.

CASE NO. 3:24-cv-05853-MJP

ORDER DENYING STIPULATED
MOTION

This motion comes before the Court on the Parties' Stipulated Motion to Allow For Joinder of Additional Parties Within 30 Days After Partial Stay Lifted (Dkt. No. 35.) The Court DENIES the motion without prejudice.

The Court previously stayed Plaintiff Country Mutual Insurance Company's Second Claim for Relief (Declaratory Judgment – Duty to Indemnify) pending final resolution of the underlying state lawsuit giving rise to this insurance coverage action. (Dkt. No. 34.) The Parties

1 now seek an order “allow[ing] for the joinder of additional parties that have an interest in the
2 outcome of [Plaintiff’s] Second Claim for Relief within 30 days of the lifting of such partial
3 stay.” (Mot. at 1–2.) The Court declines to provide the Parties with the relief they seek at this
4 time as premature. Whether the stay is lifted is the type of hypothetical and contingent question
5 which render the Court’s decision on the matter an impermissible advisory opinion. See Alabama
6 State Fed’n of Lab., Loc. Union No. 103, United Bhd. of Carpenters & Joiners of Am. v.
7 McAdory, 325 U.S. 450, 461 (1945). Therefore, the Motion is DENIED WITHOUT
8 PREJUDICE. The Parties may renew their request to allow for joinder if and when the stay is
9 lifted.

10 The clerk is ordered to provide copies of this order to all counsel.

11 Dated April 10, 2025.

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13 Marsha J. Pechman
14 United States Senior District Judge
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